

Remarks

Claims 1-22 remain pending. Claims 1-3, 7-18, 20, and 21 stand rejected. Claims 4-6 and 19 stand objected to for depending from a rejected base claim, but are otherwise allowable. Claim 22 is allowed. No claims are amended herein. The Applicant traverses the rejection and respectfully requests allowance of claims 1-22.

Claim Rejection Under 35 U.S.C. § 103(a)

Claims 1-3, 7-18, 20, and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,757,923 to Koopman (hereinafter “Koopman”) in view of U.S. Patent No. 5,867,409 to Nozuyama (hereinafter “Nozuyama”). (Page 2 of the final Office action.) The Applicant respectfully traverses the rejection for the reasons presented below.

Generally, Koopman discloses “a method of generating secret identification numbers from a random digital data stream....” (Column 3, lines 60 and 61.) To that end, Koopman employs the system 5 of Fig. 1 to generate a plurality of random numbers. (Column 4, lines 63-65.) More specifically, the system 5 utilizes a chaotic noise source 10, such as a fan, to generate chaotic noise. (Column 5, lines 11-24.) A recording device 15, such as a microphone, records the chaotic noise and forwards it to a sampler and digitizer 25 of a computer 20. (Column 5, lines 26-36 and 43-45.) The sampler and digitizer 25 first samples the sound recorded by the recording device 15 periodically, resulting in a plurality of samples responsive to the chaotic noise. (Column 5, lines 46-49, 57, and 58.) “Each sample is then digitized by an analog to digital converter, such that each sample is converted into a digital data set....” (Column 5, lines 58-60.) One example of the sampler and digitizer 25 is a computer sound card. (Column 5, lines 61-65.) A microprocessor 35 of the computer 20 then operates on the resulting data set using a series of algorithmic functions to generate a random number output. (Column 5, line 66, to column 6, line 5.)

The final Office action alleges that Koopman teaches “sampling (e.g. by component 25 in Figure 1) data transmitted over a number of microprocessor buses (e.g. wherein *the recording device 15 has a microprocessor for capturing the chaotic noise source from component 10*) at input of a number of a processed component (e.g. processing component 35 for generating

random numbers) coupled with the number of microprocessor buses (e.g. *connecting with the components 25 and 15*)....” (Page 2 of the final Office action; emphasis supplied.)

The Applicant respectfully disagrees with this characterization of Koopman. For one, Koopman does not teach or suggest that the recording device 15 incorporates a microprocessor or similar component. In fact, as indicated above, Koopman teaches that the recording device 15 is a *microphone*, and that the captured chaotic noise transferred from the recording device 15 to the sampler and digitizer 25 is in an *analog format* to be sampled, and subsequently *digitized*. Thus, Koopman does not disclose, and in fact teaches away from, the use of a microprocessor in the recording device 15.

Moreover, even if a microprocessor could be incorporated in the recording device 15, Koopman does not teach or suggest that the data from the recording device 15 that is sampled at the sampler and digitizer 25 is transmitted over a number of microprocessor buses. While the final Office action asserts that a number of microprocessor buses connect with the recording device 15 and the sampler and digitizer 25, Koopman instead indicates that the recording device 15 is a microphone, and that the data received at the sampler and digitizer 25 is analog data that is sampled and digitized by way of an analog-to-digital converter, as noted above. Thus, Koopman does not teach or suggest, and instead teaches away from, one or more microprocessor buses connecting with the recording device 15 discussed therein.

Thus, based on the foregoing, the data being sampled at the sampler and digitizer 25 is not data transmitted over a number of microprocessor buses, as provided in claim 1. Therefore, for at least this reason, the Applicant respectfully contends that Koopman does not teach or suggest this provision of claim 1, and that, as a result, claim 1 is allowable in view of the combination of Koopman and Nozuyama.

Claims 2-21 depend from independent claim 1, thus incorporating the provisions of that claim. Thus, the Applicant asserts that claims 2-21 are allowable for at least the reasons presented above in support of claim 1, and such indication is respectfully requested.

Indication of Allowable Subject Matter

The final Office action indicates that claim 22 is allowed. (Page 7 of the final Office action.) The Applicant thanks the Examiner for his consideration of this claim, the patentability of which is not discussed further herein.

The final Office action also states that “[c]laims 4-6 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” (Page 7 of the final Office action.) The Applicant thanks the Examiner for his consideration of these claims, as well. In light of the discussion presented above in support of independent claim 1, the Applicant asserts that claims 4-6 and 19 are allowable in their present form based on their dependence from claim 1, and such indication is respectfully requested.

Conclusion

Based on the above remarks, the Applicant respectfully submits that claims 1-22 are allowable. Other reasons in favor of patentability exist, but such reasons are omitted in the interests of clarity and brevity. The Applicant thus respectfully requests allowance of claims 1-22.

The Applicant believes no fees are due with respect to this filing. However, should the Office determine additional fees are necessary, the Office is authorized to charge Deposit Account No. 08-2025 accordingly.

Respectfully submitted,

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/Kyle J. Way/

SIGNATURE OF PRACTITIONER

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